

IN RE: PETITION FOR ZONING VARIANCE  
NW/S Oak Court, 199.13' NE of  
McCurley Avenue  
(420 Oak Court)  
1st Election District  
1st Councilmanic District  
Frank C. Mirabile, et ux  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 91-35-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit an accessory structure (detached garage) with a height of 23 feet in lieu of the maximum permitted 15 feet, in accordance with Petitioner's Exhibit 1.

The Petitioners, by Frank C. Mirabile, appeared and testified. Appearing as Protestants in the matter were Harold and Ruth Spencer, Fred and Beatrice Wassmann, William F. Everts, Betty Gooman, and Lillian E. Grempler.

Testimony indicated that the subject property, known as 420 Oak Court, consists of 8,410 sq.ft. zoned D.R. 5.5 and is improved with a single family dwelling, detached garage, another accessory structure and a satellite dish. Petitioners are desirous of constructing a second level addition to the existing detached garage to provide storage space for documents relative to Mr. Mirabile's business known as Welsh/Mirabile Advertising, which is currently located on Baltimore National Pike. Testimony indicated Mr. Mirabile plans to retire in the near future and needs the additional space to store essential business documents as well as space to accommodate his numerous hobbies. Petitioner testified as to the many hobbies he has, including photographing documentaries, and writing. Mr. Mirabile testified that he would like to relocate computer and video equipment in the second story addition proposed. Further testimony indi-

cated the additional space is needed to accommodate furniture and other personal belongings of Petitioners' son who recently graduated from college and has returned home. Of most importance to Petitioner was the need to provide a chemical-free area for one of his grandchildren who has a severe allergic reaction to environmental chemicals. Mr. Mirabile indicated that the storage of some of his business records in the home would have an adverse effect upon his grandchild. To support his testimony, Mr. Mirabile submitted a letter dated April 4, 1990 from Dr. Arnold Brenner, identified as Petitioner's Exhibit 3, which evidences the grandson's severe allergic reaction to chemically treated papers.

The Protestants argued that the granting of the variance would result in an overcrowding of the area and introduced photographs of existing improvements on Petitioners' property marked Protestant's Exhibit 2. The Protestants argued the existing dwelling and garage were large enough to accommodate Petitioner's storage needs and to grant the variance would result in a structure not in keeping with the neighborhood. Further, the Protestants questioned whether or not the subject property would be used for legitimate residential uses and/or commercial purposes. The Protestants argued the garage is currently being used to store lawn equipment used by Petitioner's son in a lawn care business. The parties conceded said allegation is currently being examined through the Zoning Enforcement Division of this Office. As explained, that issue was not before me in this hearing and would be addressed in the proper forum.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

ORDER RECEIVED FOR FILING  
Date 11/14/90  
By ANN M. NASTAROWICZ

- 2 -

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, there is insufficient evidence to allow a finding that the Petitioners would experience practical difficulty or unreasonable hardship if the requested variance were denied. The Petitioners have failed to show that compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. Therefore, the variance requested must be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11th day of October, 1990 that the Petition for Zoning Variance to permit an accessory structure (detached garage) with a height of 23 feet in lieu of the maximum permitted 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

ORDER RECEIVED FOR FILING  
Date 11/14/90  
By ANN M. NASTAROWICZ

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

- 3 -

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Townson, Maryland 21204  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner

October 11, 1990



Dennis F. Rasmussen  
Case Executive

Mr. & Mrs. Frank C. Mirabile  
420 Oak Court  
Catonsville, Maryland 21228

RE: PETITION FOR ZONING VARIANCE  
NW/S Oak Court, 199.13' NE of McCurley Avenue  
(420 Oak Court)  
1st Election District - 1st Councilmanic District  
Frank C. Mirabile, et ux - Petitioners  
Case No. 91-35-A

Dear Mr. & Mrs. Mirabile:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

cc: Mr. & Mrs. Harold R. Spencer  
410 Harwood Road, Baltimore, Md. 21228

People's Counsel  
File

Mr. William F. Everts  
416 Oak Court, Baltimore, Md. 21228

Mr. & Mrs. Fred Wassmann  
421 Oak Court, Baltimore, Md. 21228

Ms. Betty Gooman  
418 Oak Court, Baltimore, Md. 21228

Ms. Lillian E. Grempler  
418 Harwood Road, Baltimore, Md. 21228

PETITION FOR ZONING VARIANCE  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: **91-35-A**

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 10.1 400.3 To allow an accessory structure (detached garage) with a height of 23 ft. in lieu of the permitted 15 ft.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

(SEE ATTACHED)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):	AWAY <u>SW4F</u>
(Type or Print Name)	FRANK C. MIRABILE	<u>6</u>
Signature	<u>[Signature]</u>	<u>1</u>
Address	VENERA C. MIRABILE	<u>11/18/90</u>
City and State	(Type or Print Name)	<u>15</u>
Signature		<u>1000</u>
Address		<u>09</u>
City and State		<u>10</u>
Attorney for Petitioner:	(H) 747-0434	
(Type or Print Name)	420 OAK COURT (O) 744-0591	
Signature	Address Phone No.	
Address	CATONSVILLE, MD. 21228	
City and State	City and State	
Attorney's Telephone No.:	Name, address and phone number of legal owner, contract purchaser or representative to be contacted	
	Name	
	Address Phone No.	

ORDERED By The Zoning Commissioner of Baltimore County, this 11 day of Sept, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of Sept, 1990, at 10:30 o'clock A.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County.

(over)

FRANK C. MIRABILE  
VENERA C. MIRABILE  
420 OAK COURT  
CATONSVILLE, MD 21228  
(H) 747-0434  
(O) 744-0591

REASON FOR VARIANCE:

1. I plan to retire from business about June, 1990.
2. The need to store file cabinets with essential business documents as required by law (see attached A).
3. The need for space in which to pursue hobbies after retirement, such hobbies as writing, painting (art), videography for personal gratification and for charitable use.
4. Space to relocate and store computer and video equipment.
5. To free-up space in the house to accommodate our son who will be living at home after his graduation from college in May, 1990 (Degree in Landscape Architecture). To store many of his usable furniture, academic files and school projects.
6. Further and most important, to free-up space to take care of 3 grandchildren so their mother can go to work to provide for their needs. One of the grandchildren has a very severe allergic reaction to environmental chemicals and many foods and needs to be closely monitored at all times. He cannot be around stored boxes of papers which are usually chemically treated and art materials. (See attached B letter by Dr. Arnold Brenner, M.D.).

DRS. BRENNER & MITNICK, P.A.  
ARNOLD BRENNER, M.D. ALAN H. MITNICK, M.D.  
Pediatrics and Adolescent Medicine  
8622 Liberty Plaza Mall  
Liberty Plaza Shopping Center  
Randallstown, Maryland 21133  
Telephone: 922-1133

April 4, 1990

To whom it may concern:

Jared Aminger has severe allergic reactions to a number of chemicals, including preservatives, pesticides, and other noxious fumes. He becomes uncontrollably hyperactive when exposed to these. He especially should not be exposed to these on any long term basis. As his grandparents care for Jared on a regular basis, and there are chemically treated papers which must be stored by Jared's grandfather, they will need to be stored in a safe place outside the area where Jared will be staying, which I understand is usually the home of his grandparents. It will be in Jared's best interest for these chemically treated papers to be stored in a garage or shed where Jared will not be exposed to the chemicals.

Sincerely,

[Signature]  
Arnold Brenner, M.D.

AB:MS

Item #454  
Zoning Description  
**91-35-A**  
Beginning at a point on the Northwest side of Oak Ct. the distance 199.13 ft. Northeast of McCurley Ave. Being Lot, No. 173 in the Subdivision of Hilton, Liber 16 folio 115. Also known as, 420 Oak Ct. in the 1st Election District.

**Baltimore County**  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6150  
Number: 2556  
2803

Date: 6-22-90

Frank C. Mirabile  
420 Oak Ct.  
Residential filing fee  
Zoning  
\$35.00

8 8045\*\*\*\*\*3500:a 5226F  
Please make checks payable to: Baltimore County

Cashier Validation:

**Baltimore County**  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6150  
Number: 2803  
2556

Date: 6/22/90

PUBLIC HEARING FEES QTY PRICE  
010 -ZONING VARIANCE (IRL) 1 X \$35.00

PAID PER HAND - WRITTEN  
RECEIPT

Please make checks payable to: Baltimore County

Cashier Validation:

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

91-35-A

District: 1st Date of Posting: August 22, 1990

Posted for: Frank C. Mirabile et ux

Petitioner: Frank C. Mirabile et ux

Location of property: NW/4 Oak Court, 199.13' NE McCurley Avenue  
420 Oak Court

Location of Sign: In front of 420 Oak Court

Remarks: S. Zeke Orman

Posted by: S. Zeke Orman

Number of Signs: 1

Date of return: August 22, 1990

**CERTIFICATE OF PUBLICATION**  
TOWSON, MD., 9/5, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 2 successive weeks, the first publication appearing on 8/29, 1990

THE JEFFERSONIAN,  
S. Zeke Orman  
Publisher

\$68.57

**CERTIFICATE OF PUBLICATION**  
CATONSVILLE TIMES

9/5, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in the CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Md., once in each of 2 successive weeks, the first publication appearing on 8/29, 1990

S. Zeke Orman  
Publisher

\$68.57

**Baltimore County**  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6150  
Number: 3475

Date: 9/24/90

PUBLIC HEARING FEES QTY PRICE  
000 -POSTING SIGNS / ADVERTISING 1 X \$93.57

LAST NAME OF OWNER: MIRABILE TOTAL: \$93.57

CIA 34750034MICHRC  
SA C010122HM09-24-90 \$93.57

Please make checks payable to: Baltimore County

Cashier Validation:

**Baltimore County**  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

DATE: 9/11/90

Mr. & Mrs. Frank C. Mirabile  
420 Oak Court  
Catonville, Maryland 21228

Re: Petition for Zoning Variance  
CASE NUMBER: 91-35-A  
NW/4 Oak Court, 199.13' NE McCurley Avenue  
420 Oak Court  
1st Election District - 1st Councilmanic  
Petitioner(s): Frank C. Mirabile, et ux  
HEARING: MONDAY, SEPTEMBER 24, 1990 at 10:30 a.m.

Petitioners:

Please be advised that \$93.57 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE OWNER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,  
J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER

JRHigs

**Baltimore County**  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

July 26, 1990

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance  
CASE NUMBER: 91-35-A  
NW/4 Oak Court, 199.13' NE McCurley Avenue  
420 Oak Court  
1st Election District - 1st Councilmanic  
Petitioner(s): Frank C. Mirabile, et ux  
HEARING: MONDAY, SEPTEMBER 24, 1990 at 10:30 a.m.

Variance to allow an accessory structure (detached garage) with a height of 23 ft. in lieu of the permitted 15 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner of Baltimore County

cc: Mr. & Mrs. Mirabile

**Baltimore County**  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

September 11, 1990

Mr. & Mrs. Frank C. Mirabile  
420 Oak Court  
Catonville, MD 21228

RE: Item No. 454, Case No. 91-35-A  
Petitioner: Frank C. Mirabile, et ux  
Petition for Zoning Variance

Dear Mr. & Mrs. Mirabile:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,  
James E. Dyer  
Chairman  
Zoning Plans Advisory Committee

JED:jw  
Enclosures

**Baltimore County**  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

Your petition has been received and accepted for filing this 11th day of June, 1990.

J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:  
James E. Dyer  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Frank C. Mirabile, et ux  
Petitioner's Attorney:

**BALTIMORE COUNTY, MARYLAND**  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: July 24, 1990  
Zoning Commissioner

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Frank C. Mirabile, Item No. 454

The Petitioner requests a Variance to allow an accessory structure of 23 ft. in lieu of 15 ft.

This office has no objection to the requested variances. However, a restriction should be placed in the Order prohibiting any living quarters, kitchen or bathroom facilities in the garage, limiting storage to that of the personal property of the occupants at the principal dwelling.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm  
ITEM454/ZAC1

AUG 2 1990

Baltimore County  
Fire Department  
700 East Joppa Road, Suite 901  
Towson, Maryland 21204-5500  
(301) 887-4500

Paul H. Reincke  
Chief

JULY 3, 1990



Dennis F. Rasmussen  
County Executive

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: FRANK C. MIRABILE  
Location: #420 OAK COURT  
Item No.: 454 Zoning Agenda: JULY 10, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carl J. Kelly 7-10-90* Noted and Approved *Carl J. Kelly 7-10-90*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

JULY 3, 1990

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING  
FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES CEB  
SUBJECT: ZONING ITEM #: 454  
PROPERTY OWNER: Frank C. Mirabile, et ux  
LOCATION: NW/4 Oak Court, 199.13' NE McCurley Avenue  
(#420 Oak Court)  
ELECTION DISTRICT: 1st  
COUNCILMANIC DISTRICT:

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- ( ) PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- ( ) PARKING LOCATION ( ) RAMPS (degree slope)
- ( ) NUMBER PARKING SPACES ( ) CURB CUTS
- ( ) BUILDING ACCESS ( ) SIGNAGE
- ( ) PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- (X) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- (X) A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS, IF STRUCTURE IS USED FOR OTHER THAN A RESIDENTIAL GARAGE.
- ( ) STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).
- ( ) OTHER -

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

CHECK ITEM APPLICABLE TO THIS PLAN

JUL 05 1990

Mr. and Mrs. J. Michael Arminger  
4533 Ridge Drive  
Baltimore, Maryland 21229

October 30, 1990

RECEIVED  
OCT 31 1990  
ZONING OFFICE

Ms. Ann M. Nastarowicz  
Deputy Zoning Commissioner  
for Baltimore County  
OFFICE OF PLANNING AND ZONING  
Towson, Maryland 21204  
887-3353

RE: PETITION FOR ZONING VARIANCE  
NW/4 Oak Court, 199.13' NE of McCurley Avenue  
(420 Oak Court)  
1st Election District - 1st Councilmanic District  
Frank C. Mirabile, et ux - Petitioners  
Case No. 91-35-A

Dear Ms. Nastarowicz:

For the record, I would like this letter and the attached to be added to the permanent file for Mr. Frank C. Mirabile's petition for a zoning variance.

Specific inaccurate assumptions were made on the part of Mrs. Betty Goosman and Mr. Alvin Goosman, 418 Oak Court, concerning the my son, Jared, and his chemical sensitivity disability, which is a chronic illness made worse through exposure. These incorrect suppositions, directly quoted from the Goosman's letter include the following:

1. (Quote) "We are confused by the need for having a work and storage area for art and chemically treated papers and supplies so close to the home where their allergic grandchild will be subject to greater exposure to these items, which are detrimental to his health."

This is inaccurate because as long as these papers are stored in an area that is not attached to the home he is fine as he would not be exposed to them. As long as the papers and supplies are stored in an outbuilding, the outgassing that will occur will not enter into the home. (See letter from Dr. Arnold Brenner, in the file, that was entered as testimony during the hearing.)

2. (Quote) "It seems to us that these chemicals have been and will continue to be on the body and clothing of those using them, thus subjecting their grandchild to even greater harm."

ipt  
189

10-3-90

Dear Commissioner,

Please send me  
a copy of the hearing case # 9135A  
(Zoning Variance). The date of the hearing  
was 9-24-90 - Mirabile vs. Zoning rules.  
Mail the tape to

RECEIVED  
OCT 9 1990

ZONING OFFICE

Enclosed is \$15.00 fee

MARY DIFONZO  
423 Oak Ct  
Balt. MD 21228

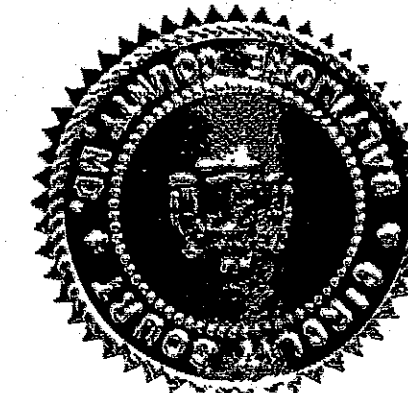
My phone # is 747-8382  
If you have any questions.

Thank you  
Mary Difonzo

Mr. J. Robert Haines  
Zoning Commissioner  
Dear Sir:

This has reference  
to meeting held on September  
24, 1990, Case No. 91-35-A  
in the County Court House.  
Please arrange to furnish me  
with a copy of the tape  
covering the proceedings.  
Sincerely,  
Harold R.R. Spencer  
747-1772

Copy: June Fernandez -  
Kindly advise when the  
tape is available.  
Harold R.R. Spencer  
40 HARWOOD ROAD  
CATONSVILLE 21228  
MARYLAND



ALSO REFERRED TO LONG BEING IN THE

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418 Oak Court  
Catonville, Md. 21228  
Sept. 11, 1990

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Md. 21204

Sirs: Re: Case 91-35-A

We are objecting to the rezoning at 420 Oak Court, Catonsville, Md. to allow an accessory structure to a height of 25 ft. in lieu of 15 ft.

Such rezoning can set a precedent for further future rezoning exceptions thus changing a neighborhood of single homes into a business area.

Since we are unable to attend the zoning hearing in person, we are sending this letter.

Yours truly,  
LARRY R. JACKSON  
LARRY R. JACKSON  
Vernon Schaffel

Dear Sir, Oct 17, 1990

Please send me a copy of the petition for zoning variance hearing audio cassette tape of case # 91-35-A, Mr. & Mrs. Frank C. Mirabile, petitioners, which took place on Mon. September 24, 1990 at 10:30 AM.

I understand there is a charge for the cassette and will be notified when it is ready. Thank you.

Sincerely,  
Mrs. Betty Goosman  
418 Oak Ct.  
Baltimore, Md 21228  
phone: 744-3615

P.S. If you are unable to reach me at this number, please contact my parents, Mr. & Mrs. Vernon Schaffel at 744-0185.

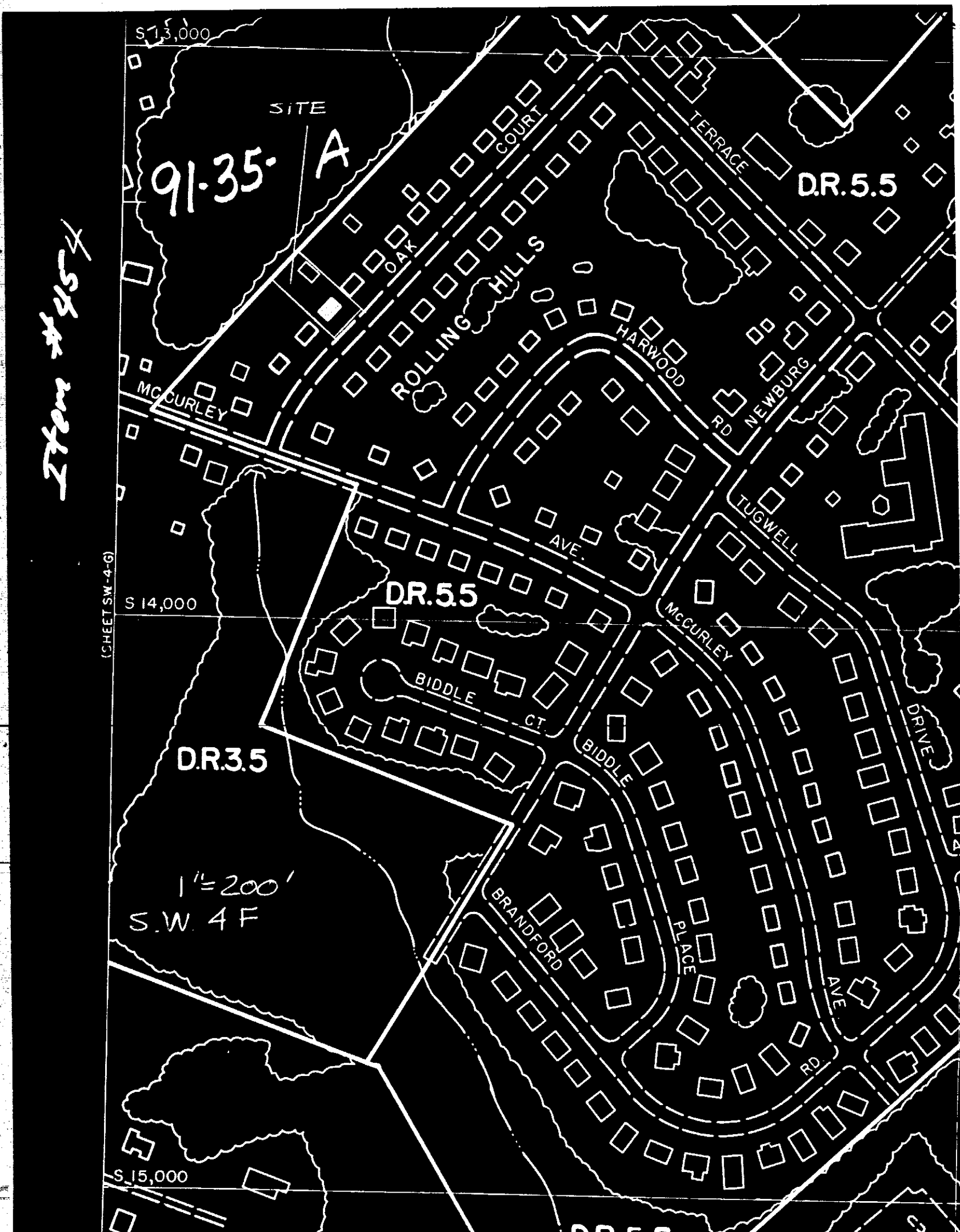
PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME ADDRESS  
FRANK C. MIRABILE 420 OAK COURT 21228

PROTESTANT(S) SIGN-IN SHEET

NAME ADDRESS  
John L. [unclear] 420 [unclear] Rd 21228  
[unclear] 416 [unclear] Rd 21228  
[unclear] 416 Oak Ct 21228  
[unclear] 421 Oak Ct 21228  
[unclear] 418 Oak Ct 21228  
[unclear] 421 Oak Ct 21228  
[unclear] 418 [unclear] Rd 21228



**DRS. BRENNER & MITNICK, P.A.**  
ARNOLD BRENNER, M.D. ALAN H. MITNICK, M.D.  
Pediatrics and Adolescent Medicine  
5622 Liberty Plaza Mall  
Liberty Plaza Shopping Center  
Randallstown, Maryland 21133  
Telephone: 922-1133

April 4, 1990

To whom it may concern:

Jared Arminger has severe allergic reactions to a number of chemicals, including preservatives, pesticides, and other noxious fumes. He becomes uncontrollably hyperactive when exposed to these. He especially should not be exposed to these on any long term basis. As his grandparents care for him on a regular basis, and there are chemicals treated papers which must be stored by Jared's grandfather, they will need to be stored in a safe place outside the area where Jared will be staying, which I understand is usually the home of his grandparents. It will be in Jared's best interest for these chemically treated papers to be stored in a garage or shed where Jared will not be exposed to the chemicals.

Sincerely,  
Arnold Brenner, M.D.

AB:ms

**EXHIBIT 3**

**Item # 454**  
**91-35-A**

**Vicinity Map**

**Plat for Zoning Variance**  
Owner : Mr. & Mrs. Frank C. Mirabile  
1st. Election District, Zoned - D.R. 5.5  
Subdivision - Rolling Hills Lot 173, Plat Book 16  
Existing Public Utilities in Oak Ct.  
*NOT IN CRITICAL AREA*

**Lot Size 8410 sq. feet .19 ac.**  
**Scale: 1" = 20'**

**EXHIBIT 1**

Practicing CPA, October 1987

Records Retention Schedule

OCT 3 1987

Retention Period	Retention Period
Accident reports/claims (settled cases) ... 7 years	Major tape and tab cards ... 1 year
Accounts payable ledgers and schedules ... 7 years	Minute books of directors, stockholders, bylaws, and charter ... Permanently
Accounts receivable ledgers and schedules ... 7 years	Notes receivable ledgers and schedules ... 7 years
Audit reports ... Permanently	Option records (expired) ... 7 years
Bank reconciliations ... 2 years	Patents and related papers ... Permanently
Bank statements ... 3 years	Payroll records and summaries ... 7 years
Capital stock and bond records: ledgers, transfer registers, stubs showing issues, record of interest coupons, options, etc. ... Permanently	Personnel files (terminated) ... 7 years
Cash books ... Permanently	Petty cash vouchers ... 3 years
Charts of accounts ... Permanently	Physical inventory tags ... 3 years
Checks (canceled—see exception below) ... 7 years	Plant cost ledgers ... 7 years
Checks (canceled for important payments, i.e. taxes, purchases of property, special contracts, etc. Checks should be filed with the papers pertaining to the underlying transaction.) ... Permanently	Property appraisals by outside appraisers ... Permanently
Contracts, mortgages, notes, and leases (expired) ... 7 years	Property records, including costs, depreciation reserves, year-end trial balances, depreciation schedules, blueprints, and plans ... Permanently
(still in effect) ... Permanently	Purchase orders (except purchasing department copy) ... 1 year
Correspondence (general) ... 2 years	Purchase orders (purchasing department copy) ... 7 years
Correspondence (legal and important matters only) ... Permanently	Receiving sheets ... 1 year
Correspondence (routine) with customers and/or vendors ... 2 years	Retirement and pension records ... Permanently
Deeds, mortgages, and bills of sale ... Permanently	Requisitions ... 1 year
Depreciation schedules ... Permanently	Sales commission reports ... 3 years
Duplicate deposit slips ... 2 years	Sales records ... 7 years
Employment applications ... 3 years	Scrap and salvage records (inventories, sales, etc.) ... 1 year
Expense analyses/expense distribution schedules ... 7 years	Stenographers' notebooks ... 1 year
Financial statements (year-end, other optional) ... 7 years	Stock and bond certificates (canceled) ... 7 years
General/privat ledgers, year-end trial balance ... 3 years	Stockroom withdrawal forms ... 1 year
Insurance policies (expired) ... 3 years	Subsidiary ledgers ... 7 years
Insurance records, current accident reports, claims, policies, etc. ... Permanently	Tax returns and worksheets, revenue agents reports, and other documents relating to determination of income tax liability ... Permanently
Internal audit reports (longer retention periods may be desirable) ... 3 years	Time book/records ... 7 years
Internal reports (miscellaneous) ... 3 years	Trademark registrations and copyrights ... Permanently
Inventories of products, materials, and supplies ... 7 years	Training manuals ... Permanently
Invoices (to customers, from vendors) ... 7 years	Union agreements ... Permanently
Journals ... Permanently	Voucher register and schedules ... 7 years
	Vouchers for payments to vendors, employees, etc. (includes allowances and reimbursement of employees, officers, etc. for travel and entertainment expenses) ... 7 years
	Withholding tax statements ... 7 years

**EXHIBIT 2**

